

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**IRAY MALCUM TAYLOR,**  
**Plaintiff,**

**v.**

**ANDREW M. SAUL,**  
**Defendant.**

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**No. EP-20-CV-00131-ATB**

**ORDER**

On this day, the Court considered the status of the above-styled and numbered cause. On August 13, 2020, this Court entered an “Order to Show Cause” (“Order”) directing Plaintiff Iray Malcum Taylor (“Taylor”) to show cause for failing to serve or provide proof of service as required by Rule 4 of the Federal Rules of Civil Procedure. (ECF No. 2). Federal Rule of Civil Procedure 4(m) requires that a court “on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). However, “if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.*

On August 15, 2020, Taylor filed his “Plaintiff’s Response to Show Cause Order” (“Response”). (ECF No. 6). Immediately upon receipt of the Court’s Order, Taylor’s counsel filed all summonses, which were served via certified mail. (ECF No. 3-5).

After due consideration of Taylor’s Response, the Court is of the opinion that Taylor has shown good cause for failing to serve or provide proof of service as required by Rule 4 of the Federal Rules of Civil Procedure. *See Thrasher v. City of Amarillo*, 709 F. 3d 509, 511 (5th Cir. 2013) (“the court has discretion to extend time for service.”).

Accordingly, it is **HEREBY ORDERED** that Plaintiff's service and proof of service shall be regarded as **TIMELY FILED**.

**SIGNED** and **ENTERED** this 18th day of August, 2020.

A handwritten signature in black ink, appearing to be 'ATB', written over a horizontal line.

**ANNE T. BERTON**  
**UNITED STATES MAGISTRATE JUDGE**